

## **MEETING MINUTES**

### **July 19, 2007**

## **GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED**

The meeting was called to order by Chairperson Penney Hall at 10:00 a.m., July 19, 2007 at the F. Ray Power Building, located at the West Virginia Division of Rehabilitation Services' office in Institute, West Virginia.

### **ATTENDANCE:**

Committee: Penney Hall (Chairperson); Brenda Morford; Pete Cuffaro; John Liller; Everette Sullivan; Jan Smith; Ron Price, Executive Secretary; Carol Jarrett, Recording Secretary.

WVARF Staff: Glenn McEndree Chris Miller, Phil Turner, Mike Turner

Public Attendance: Lou Ann Summers, DRS  
Elizabeth Sampson, Clay County Services Unlimited, Inc.  
Brenda Hellwig, Job Squad, Inc.  
Kimberly B. Lewis, Goodwill Industries  
Ken Kennedy, Lillian James Learning Center  
Craig Greening, JCDC  
Cedric Green, Department of Administration  
Diane Holley, Department of Administration  
Tony O'Leary, Purchasing Division  
Mary Jones, WVARF

There was a correction to the minutes on page 4 it should read Phil Turner, not Mike Turner; on page 6 Greg Greg Rager should be Grey Raber; and on page 7 the line which read "the Committee has never placed them in jeopardy" should read "the Committee has never placed the State Use Program in jeopardy."

### **MOTION #1**

**Mr. Sullivan moved to approve the minutes as corrected. Ms. Morford seconded. Motion passed.**

### **REPORT OF THE COMMITTEE CHAIR:**

Ms. Hall reported the Committee had received a nice thank you card from the Hancock County Workshop thanking the Committee for their support in the Laundry contract and all their clients signed it. Earlier this week she reported she had sent a letter to James Gamble who is the Director of the Sheltered Workshop in Nicholas County on behalf of the Governor's Committee to congratulate him on his planned retirement.

## **EXECUTIVE SECRETARY REPORT:**

\$ 1,599.87 - Annual Allocation  
390.32 - Total Expenses  
1,209.55 - Sub-Total  
\$ 38.88 - Expenses Outstanding (Accounts Payable)  
\$ 1,170.67 - Balance Remaining

## **EXECUTIVE DIRECTOR'S REPORT:**

Mr. McEndree reported the WVARF-sponsored "Operating and Managing a Successful Custodial Operation" is being held July 30-31 in Charleston. There are around 40 people registered to attend. He reported WVARF are followed-up with Jim Smith of the State Auditor's office regarding adding credit card fees onto the Program Fee charged by WVARF. The question was whether WVARF or the individual CRP's should be reimbursed for this fee. He reiterated that this is a legitimate cost of doing business and said that the Auditor's office has no real preference in this matter as to how it is handled. He suggested that this can be handled in a manner that is most beneficial to WVARF, the CRPs, and the Governor's Committee. He also stated that he would like to know when this is finalized as the Auditor's office would like to notify all agencies that they can use the p-card to pay WVARF for all transactions. The Auditor's office will be conducting an agency coordinators meeting on September 10-11 and they would like to know WVARF's status by then. Ms. Smith said she had been asked by the WVARF membership for the Governor's Committee to approve this fee for all contracts when this goes into effect. Ms. Hall said the Committee would have to look at this at the time it is implemented to see exactly which contracts are affected, when and how much that fee is going to be. Ms. Hall said the discussion of the contract agreement between WVARF and the CRP's had been laid over until the question of who charges the fee was answered by the Auditor's Office. There were changes to the document which was distributed at the June 21, 2007, meeting. On page 2, the original language was reinstituted to state the CRP would be responsible of all wages and benefits and not credit card fees. On page 4 the CRP's are to provide a corrective action when their quarterly report indicates a percentage lower than 75%. It also changes the language from WVARF "provides CRP's with a breakdown of costs" to "assist CRP's in determining the costs."

## **MOTION #2**

**Ms. Smith moved with those corrections being made to approve the agreement between WVARF and CRP's. Mr. Sullivan seconded. Motion passed.**

Mr. McEndree reported both Mr. Turners have been busy with inspections and gathering information on pricing of all contracts. They also met with representatives from the VA Nursing Home and it appears they will be participating in the statewide laundry contract. He said has not been any new activity in the lawsuit regarding the incident that occurred at a rest area in the state. He said the state DOH was planning to tear down the Burnsville rests areas in July, but they have not put the contract out to bid yet.

Mr. McEndree reported Precision Services had recently undergone a review by the Unemployment Compensation Office which found the disabled employees were not eligible for benefits. They considered them in "training." Precision is appealing the decision. Ms. Smith said she faced the same situation a few years ago and Unemployment said "if you don't employ them then no one else is going to and they will be on the

unemployment roles forever.” Mr. McEndree said Unemployment was under the impression the State Use money was grant funds.

### **MOTION #3**

**Mr. Sullivan moved for the Committee to write a letter to Unemployment Comp explaining these workers were employees. Ms. Smith seconded. Motion passed.**

### **CONTRACT PRESENTATIONS:**

Mr. M. Turner reported there were two CRP’s who expressed interest in a contract with the WV Educational Broadcasting Authority in Morgantown. The Committee reviewed the comparison between the two CRP’s.

### **MOTION #4**

**Ms. Smith moved to assign the contract to Pace Tec. Ms. Morford seconded. Motion passed.**

The costing sheet given to the Committee was the old form. Ms. Hall asked for the costing to be done using the new costing sheets and formulas that were developed three or four months prior. Ms. Hall said if those were sent to her she would send them out to the Committee or approval.

### **NEW OR MODIFIED PROJECTS**

There was a change in the DHHR Courier Services Contract which limited the annual FMP to \$10,000. Both the agency and the CRP were ok with the changes. The start date is August 1, 2007.

### **MOTION #5**

**Mr. Sullivan moved to approve the change in the Scope of Work. Mr. Liller seconded. Motion passed.**

VA Nursing Home Laundry services contract – The annual FMP is \$91,788 with delivery costs limited to \$22,694.

### **MOTION #6**

**Mr. Liller moved to approve the addition of the VA Nursing home to the laundry contract. Mr. Sullivan seconded. Motion passed.**

Laundry Contract – item #68 should be regular sheets; item #115 queen fitted sheets; item #116 should be queen blanket; and item #117 should be bags, soiled linen, pink.

### **MOTION #7**

**Ms. Smith moved to correct item #68 and adds items #115 through #117. Mr. Sullivan seconded. Motion passed.**

### **CONTRACT COMPLAINTS:**

There was one informal complaint from the Insurance Board which involved a new employee showing up on the wrong day. This issue has been resolved.

Buckhannon-Upshur Work Adjustment Center – no report.

Fairmont Office Building – Ms. Smith and Mr. P. Turner met with Mr. Swisher, General Services Division. Ms. Smith is going to work with them on a scope of work.

DOH, Smith Street – They were to provide WVARF with the level of service they wanted and they haven't responded yet.

Bottled water – no report

## **OLD BUSINESS**

### **CQI Implementation**

Training – Mr. McEndree reported they are done training in July and are looking for additional training through NISH.

Compliance – desk reviews and field reviews – Mr. McEndree they are in the process of doing desk reviews and should have a report in August for the Committee. No field reviews have been done since June.

Customer Satisfaction – nothing

Performance Inspections – Mr. P. Turner said 14 site visitations at multiple locations. They were all acceptable or above. Ms. Hall asked for a written report similar to what has previously been provided to the Committee.

Ms. Smith reported WVARF has developed an ad hoc committee on quality assurance. Ms. Hall asked how the CQI plan the Committee would work with what this committee is going to do. Ms. Smith it would expand the plan. She is serving on the ad hoc committee.

## **FINANCIAL REPORT:**

Mr. Miller reported the over 60 day's receivables were \$92,789, or 8% of total receivable. He said everything had been paid subsequent to this report being printed.

Ms. Hall showed the State Use Program as of the end of May had generated a profit of \$73,352.77.

FY 2008 budget, – no changes were made.

## **NEW BUSINESS:**

Ms. Smith reported the WVARF membership requested that the Governor's committee meet around the State on a quarterly basis. They also asked that the minutes of the Governor's committee minutes be posted in a timely manner, within the month. They would like the Executive Secretary visit the Mercer County Work Center meet within six weeks to assist in development of new work. Ms. Hall said meeting with an individual CRP to assist them with development of new work is outside the scope of the Executive Secretary. The way the rules reads the Executive Secretary is to work with the CNA and the CNA is to help determine what work individuals CRP's may be able to perform. She also said the Committee has talked about meeting at various

CRP's as done in the past but have not yet been able to do so. Also, WVARF posts the minutes on their website.

Ms. Smith said the WVARF membership expressed concern because the state minimum wage was \$6.55 and the Governor has stated that all employees should make the state minimum wage. They believe their employees should be making this as well. Ms. Hall said to her knowledge this committee has never refused to look at a wage increase. It goes back to CRPs having to request a change in their contract to bring their wage up to state minimum wage and/or WVARF automatically doing that when renewing their contracts. The rate of \$6.55 may take the contract out of that price range.

## **NEW BUSINESS**

### **Public Works Report:**

Ms. Hall started the discussion on the Public Works Report by stating the members had received the report at the June 21 meeting and were asked to review it for this meeting. She also said all members received a packet of information from WVARF in response to this report.

Ms. Smith said the WVARF members wanted to know if the Governor's Committee had voted for the report and who paid for the report? Ms. Hall said that no, the committee did not vote to have the report done. She was offered the opportunity to have an outside third party look at the Program and to offer suggestions on how to better manage it. She agreed to this opportunity. She then called all Committee members telling them about this opportunity and since no one had an objection went ahead with the report. If a majority of the members had objected or if someone had strong objections to the projection she could have called it off. She said the State paid for the report since they have a contract with Public Works to do this type of work.

Mr. Liller said he had concerns on several points in the report. 1) It was never discussed with the committee. To me I think there should have been some discussion. I got the news by a phone call while I was coming down I-79; 2) The report was given to the Committee at the last meeting and some of the media already had it. If one of us had approached about this when going out the door we would have looked foolish; 3) It was derived from stuff off the internet and not talking to any of us, WVARF, CRP's. I fail to see any major value in this report.

Ms. Smith said WVARF members wanted to know if the two binders given to Secretary Ferguson were given to Public Works. Ms. Hall said the two binders were not given to them in whole, however much of the information they contained regard WVARF's operation were given to them. She said they were provide with the 2006 and 2007 action plan and status report; the 2007 and 2008 budget proposals from WVARF; the Code and Rules; the audited financial reports of '04, '05 and '06; the letter from the Rose Law Office regarding WVARF's funds; email correspondence and letters from Diana Thompson's and a memo from Janice Holland on the money WVARF membership distributed among themselves; and various other e-mails from WVARF members regarding the funds WVARF receives for administering this program

## **MOTION #8**

**Mr. Cuffaro moved the Committee endorse the recommendations made by Public Works for the State Use Program to be operated by the Department of Administration and that this action be communicated to Deborah Lovely, Director of DRS. Mr. Sullivan seconded.**

There was a lot of discussion concerning this issue. The discussion concerned how small workshops would be impacted. Also, what the State would offer to the CRP's to the CRP's if it became the CAN.

**MOTION #9**

**Mr. Sullivan moved to table the discussions on the report until the next meeting. Mr. Liller seconded.**

**Roll call called for by Mr. Cuffaro.**

Ms. Smith	Yes
Mr. Liller	Yes
Ms. Morford	Nay
Mr. Sullivan	Yes
Mr. Cuffaro	Nay
Ms. Hall	Nay

**Motion failed.**

The Committee moved to the original motion.

**MOTION # 10**

**Mr. Cuffaro called for a roll call.**

Mr. Cuffaro	Yes
Mr. Sullivan	Yes
Mr. Liller	Nay
Ms. Morford	Yes
Ms. Smith	Nay
Ms. Hall	Yes

**Motion Passed.**

**Public Comments:**

There were public comments from Ms. Sampson, Ms. Lewis, Mr. Greening, Mr. Kennedy and Ms. Hellwig.

**MOTION #11**

Mr. Sullivan moved to adjourn. Ms. Smith seconded.